

Claims 1, 2, 4, 5, and 7 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Freeman (US 5,396,284) and Cohen (US 5,812,054), and further in view of Namekawa (US 6,237,027). Claims 8, 9, and 11-31 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over Peters (US 5,717,379) in view of Cohen, and further in view of Fansa et al. (US 5,861,804). These rejections are also respectfully traversed.

On February 14, 2002, the Applicants conducted an Examiner conference with Examiner Vo. In the conference, the Applicants pointed out that the newly cited reference Namekawa (US 6,237,027) fails to teach or suggest that which is alleged in the Office Action. Namely, Namekawa fails to disclose the automatic transmission of the surveillance image. Additionally, Namekawa does not provide any suggestion that would lead one of skill in the art to combine that teaching with Cohen nor Freeman. The Examiner advised that he would review the references.

On February 20, 2002, the Applicants conducted the follow-up Examiner conference with Examiner Vo. Examiner Vo agreed that the cited references fail suggest motivation to combine in a way that will teach the claimed invention.

As discussed, Cohen teaches the use of a specialized device (e.g., printed circuit board) that connects to a standard alarm control panel. Any audio or video verification offered by the specialized hardware of Cohen is provided to central stations. Freeman teaches a motion detection system that uses a time division multiplexing system 60 that is interfaced with a motion detection system 10. The motion detection system is connected to cameras C1-Cn, and the time division multiplexing system 60. Freeman provides no suggestion for methods of notifying an interested user of activity by transmitting a surveillance image to a remote computer over a network. Additionally, Freeman does not teach transmission of a message over a network to a remote computer upon an alarm condition. Freeman also does not teach including a message with a video clip to enabling viewing of the activity condition that caused the signaling of the alarm condition. When these teachings are combined with Namekawa, the art does not suggest the claimed embodiments of the independent claims.

Reproduced below are independent claims 1, 8, and 26, which have been previously amended to clarify the Applicants' invention over the cited art.

1. A surveillance method for operating a general purpose computer to provide remote surveillance of an internal area of a building, comprising:
 - receiving a surveillance image from a local camera directed at the internal area of the building;
 - comparing the surveillance image with a reference image to produce a comparison result;

detecting presence of an activity condition based on the comparison result; and

notifying an interested user of the activity condition when the presence of the activity condition is detected,

wherein said notifying includes, transmitting the surveillance image to a remote computer over a network automatically when the activity condition is detected, and

wherein said transmitting includes forming an electronic mail message having a predetermined mailing address, the predetermined mailing address being associated with the interested user, and electronically mailing the surveillance image to the remote computer over the network.

8. (Twice Amended) A system for providing remote visual monitoring of a location, said system comprising:

a camera for obtaining an image of the location;

a remote computer having a display device capable of viewing images, said remote computer being remote from the location;

a local general purpose computer operatively connected to said camera, said local general purpose computer operates to receive the image from the camera and then to determine whether an activity condition is present,

wherein said local general purpose computer automatically forwards the image to said remote computer over a network when the activity condition is present, and said local general purpose computer does not forward the image to said remote computer over the network when the activity condition is not present, and

wherein said local general purpose computer automatically creates an electronic mail message to a predetermined user associated with the remote computer, the electronic mail message having the image included or attached thereto, and then automatically sends the electronic mail message to said remote computer for the predetermined user.

26. (Twice Amended) A method for operating a general purpose computer to detect an activity condition using a camera, comprising the acts of:

(a) receiving a reference image from a camera directed in a predetermined direction;

(b) storing a reference image;

(c) receiving a current image from a camera directed in the predetermined direction;

(d) comparing the current image with the reference image to detect an activity condition; and

(e) signaling an activity condition when said comparing detects the activity condition; the signaling of the activity condition including the transmission of a message over a network to a remote computer, the message including a video clip to enable

viewing of the activity condition that caused the signaling of the alarm condition.

For at least these reasons, it is submitted that the combined references fail to teach or suggest claims 1-5, 7-9, 11-18, and 26-31. Applicants therefore respectfully request that these rejections under 35 USC 103(a) be withdrawn. Applicants therefore respectfully submits that all of the pending claims are in condition for allowance.

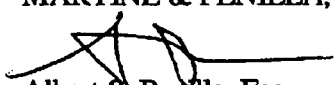
If a further Examiner conference can be facilitated with the Examiner's SPE, Mr. Chris Kelley, the Applicants would be pleased to discuss the cited art and the pending claims. Finally, the Examiner noted that a patent was issued to Vaios (US 6,271,752), and as noted on page 6 of the Office Action, Vaios anticipates the claimed invention. The Applicants are confused as what section number the Examiner relies for making this statement. Based on the Applicants study of Vaios, the present application has a priority filing date of July 1, 1997. The filing date of Vaios is October 1998, nearly 15 months later.

Accordingly, the Applicants respectfully request that the Examiner clarify the record as to why (e.g., what code section or under what theory) Vaios allegedly anticipates the claims of the present invention, or if this is an oversight, to clarify the record.

A Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present amendment, the Examiner is kindly requested to contact the undersigned at (408) 749-6903.

Applicants hereby petition for an extension of time of two months (small entity \$200) to maintain the pendency of this case. Such extension fee and any further fee required in connection with the filing of this Amendment is to be charged to Deposit Account No. 50-0805 (Order No. ATC1P001).

Respectfully submitted,
MARTINE & PENILLA, L.L.P.



Albert S. Penilla, Esq.
Reg. No. 39,487

710 Lakeway Drive, Suite 170
Sunnyvale, California 94085
(408) 749-6900
Customer Number 25920